

June 3 2010

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

IN THE SUPREME COURT OF THE STATE OF MONTANA

No. DA 10-0055

SCOTT P. HEDDINGS,

Petitioner and Appellant,

v.

STATE OF MONTANA,

Respondent and Appellee.

ORDER

JUN 03 2010

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The Court has considered the briefs that have been filed in this appeal for classification purposes. We conclude rebriefing of the appeal is necessary. We have further determined, pursuant to § 46-8-104, MCA, that extraordinary circumstances exist that require the appointment of counsel to prevent a miscarriage of justice. Therefore,

IT IS ORDERED that that the Office of Appellate Defender is appointed to represent Scott P. Heddings in this appeal and address his double jeopardy and ineffective assistance of counsel claims. The Office of Appellate Defender shall have 30 days from the date of this Order within which to file either a notice of appearance or a motion to rescind this Order appointing counsel. In the event Appellant qualifies financially for appointed counsel, the Office of Appellate Defender shall immediately order the appropriate transcripts.

The Clerk is directed to provide copies of this Order to the Appellant, the Office of Appellate Defender, and all counsel of record.

DATED this 3rd day of June, 2010.

For the Court,

By W. William Ruppert
Acting Chief Justice